

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re:	: Chapter 11
	: :
AMERICAN HOME MORTGAGE	: Case No. 07-11047 (CSS)
HOLDINGS, INC., a Delaware corporation, <u>et al.</u> , ¹	: :
	: Jointly Administered
Debtors.	: :
	: Ref. Docket. No. 4293
-----	X

NOTICE OF APPEAL

PLEASE TAKE NOTICE that, pursuant to Rule 8001 of the Federal Rules of Bankruptcy Procedure, the above captioned debtors and debtors-in-possession (collectively, the “Debtors”), by and through their undersigned counsel, hereby appeal under 28 U.S.C. § 158(a) to the United States District Court for the District of Delaware from this Court’s Order Granting Motion of McLain Partners II, LLC for Payment of Administrative Expense Claim dated May 28, 2008 [Docket No. 4293] (the “Order”). A copy of the Order is attached hereto as Exhibit A.

PLEASE TAKE FURTHER NOTICE that the names of all parties to the order appealed from and the names, addresses and telephone numbers of their respective attorneys are as follows:

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: American Home Mortgage Holdings, Inc. (6303); American Home Mortgage Investment Corp., a Maryland corporation (3914); American Home Mortgage Acceptance, Inc., a Maryland corporation (1979); AHM SV, Inc. (f/k/a American Home Mortgage Servicing, Inc.), a Maryland corporation (7267); American Home Mortgage Corp., a New York corporation (1558); American Home Mortgage Ventures LLC, a Delaware limited liability company (1407); Homegate Settlement Services, Inc., a New York corporation (7491); and Great Oak Abstract Corp., a New York corporation (8580). The address for all of the Debtors is 538 Broadhollow Road, Melville, New York 11747, except for AHM Servicing, whose address is 4600 Regent Blvd., Suite 200, Irving, Texas 75063.

The Debtors	YOUNG CONAWAY STARGATT & TAYLOR, LLP James L. Patton, Jr. Pauline K. Morgan Sean M. Beach Matthew B. Lunn Kara Hammond Coyle The Brandywine Building 1000 West Street, 17th Floor Wilmington, Delaware 19801 Telephone: (302) 571-6600
McLain Partners II, LLC	POLSINELLI SHALTON FLANIGAN SUELTHAUS PC Christopher A. Ward 222 Delaware Avenue, Suite 1101 Wilmington, Delaware 19801 Telephone: (302) 295-4840

PLEASE TAKE FURTHER NOTICE that the names of other interested parties to the order appealed from and the names, addresses and telephone numbers of their respective attorneys are as follows:

The Official Committee of Unsecured Creditors	BLANK ROME LLP Bonnie Glantz Fatell David W. Carickhoff, Jr. 1201 Market Street Wilmington, Delaware 19801 Telephone: (302) 425-6400 -and- HAHN & HESSEN LLP Mark S. Indelicato Mark T. Power 488 Madison Avenue, 15th Fl New York, NY 10022 Telephone: (212) 478-7200
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Dated: Wilmington, Delaware
June 9, 2008

YOUNG CONAWAY STARGATT & TAYLOR, LLP



James L. Patton, Jr. (No. 2202)

Pauline K. Morgan (No. 3650)

Sean M. Beach (No. 4070)

Matthew B. Lunn (No. 4119)

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Facsimile: (302) 571-1253

Counsel for Debtors and Debtors-in-Possession

EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	X	
	:	Chapter 11
	:	
AMERICAN HOME MORTGAGE HOLDINGS, INC.,	:	Case No. 07-11047(CSS)
a Delaware corporation, <i>et al.</i> ,	:	Jointly Administered
	:	
Debtors.	:	Related to Docket No. <u>3465</u>
	X	


**ORDER GRANTING MOTION OF McLAIN PARTNERS II, LLC
FOR PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM**

Upon consideration of the *Motion for Payment of Administrative Expense Claim* ("Motion") of McLain Partners II, LLC, a Missouri limited liability company ("McLain") for an order that allows and directs payment of its administrative expense claim against the above-captioned debtors and debtors-in-possession ("Debtors") pursuant to sections 503(b) and 365(d)(3) of the Bankruptcy Code; and upon consideration of any and all objections and/or responses that were filed in opposition to the Motion; and it appearing that due and proper notice of the Motion has been given to all interested parties in this case; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is granted.
2. McLain is hereby deemed to have an allowed administrative expense claim in the amount of ~~\$65,625.00~~ ^{61,250.00} pursuant to sections 503(b) and 365(d)(3) of the Bankruptcy Code.
3. The Debtors are directed to pay McLain the amount of ~~\$65,625.00~~ ^{61,250.00} within 10 days from the date of this Order.

Dated: Aug 28, 2008


United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	-X	
	:	Chapter 11
	:	
AMERICAN HOME MORTGAGE HOLDINGS, INC.,	:	Case No. 07-11047(CSS)
a Delaware corporation, <i>et al.</i> ,	:	Jointly Administered
	:	
Debtors.	:	Related to Docket No. <u>3465</u>
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IT IS HEREBY ORDERED THAT:

1. The Motion is granted.
2. McLain is hereby deemed to have an allowed administrative expense claim in the amount of ^{61,250.00}~~\$65,625.00~~ pursuant to sections 503(b) and 365(d)(3) of the Bankruptcy Code.
3. The Debtors are directed to pay McLain the amount of ^{61,250.00}~~\$65,625.00~~ within 10 days from the date of this Order.

Dated: Aug 23, 2008


United States Bankruptcy Judge

UNITED STATES BANKRUPTCY
COURT DISTRICT OF DELAWARE

APPEAL TRANSMITTAL SHEET

Bankruptcy Case Number: 07-11047 (CSS)

Title of Order Appealed:

Order Granting Motion of McLain Partners II, LLC for Payment of Administrative Expense Claim. Order Signed on 5/28/2008, Docket #4293.

Item Transmitted: Notice of Appeal, Docket Number 4476

Date Filed: June 9, 2008

Notice of Appeal. Docket #4476

Appellant's Designation of Items & Statement of Issues. Docket #4737

Appellant:

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Pauline K. Morgan
Sean M. Beach
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Appellee:

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**The Official Committee of Unsecured Creditor
Committee**

Bonnie Glantz Fatell
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Telephone: (302) 425-6400

-and-

Mark S. Indelicato
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Telephone: (212) 478-7200

Filing Fee Paid: ☒ Yes ☐ No

IFP Motion Filed by Appellant? ☐ Yes ☐ No

Have Additional Appeals to the Same Order been Filed? ☐ Yes ☒ No

If so, has District Court assigned a Civil Action Number?

Additional Notes: **Appellee did not file a Designation of Additional Items to be included in the record.**

July 7, 2008
Date

Teresa Southerland
Deputy Clerk

Bankruptcy Court Appeal (BAP) Number: BAP-08-40